



United States Government

NATIONAL LABOR RELATIONS BOARD
1099 14th STREET NW
WASHINGTON DC 20570

November 21, 2011

Joseph J. Brennan
Fisher & Phillips, LLP
9150 South Hills Blvd.
Suite 300
Cleveland, OH 44147

Re: *Case Farms Processing, Inc.* 08-CA-039152, et al.

Dear Mr. Brennan:

Thank you for your letter dated November 17, 2011 concerning the late filing, and subsequent rejection, of the Respondent's Reply Brief in the above-entitled proceeding.

The service sheet accompanying the Acting General Counsel's Answering Brief, filed on October 28, indicated that the Respondent had received timely service, via electronic mail, of the answering brief. However, the electronic message (Exhibit A) attached to your November 17th correspondence indicates otherwise. Because the Respondent did not receive service of the answering brief until November 2, 2011, I will calculate the due date of the reply brief as 14 days from that date. Accordingly, any reply brief was due prior to or on November 16, 2011. The Respondent's Reply Brief was filed on November 16, 2011. Accordingly, it is now considered timely filed.

In light of the above, please disregard my letter dated November 17, 2011 in which I rejected the Respondent's Reply Brief. The Reply Brief will now be transmitted to the Board for consideration.

Very truly yours,

/s/ Farah Z. Qureshi
Associate Executive Secretary

cc: Parties